

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DANIEL BRYAN KELLY,

Plaintiff,

v.

RICKY OWENS, et al.,

Defendants.

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CIVIL ACTION NO.: 2:05-cv-1150-T

JOINT MOTION FOR PERMISSION TO FILE A REPLY BRIEF

COME NOW Coosa County Sheriff Ricky Owens, Terry Wilson, Wendy Roberson and Al Bradley, Defendants in the above-entitled action, and move the Court for an Order allowing them to file a Reply to the Plaintiff's Opposition to these Defendants' Motions for Summary Judgment. As grounds for so moving, the Defendants set forth as follows:

1. Currently pending before the Court are Defendant Coosa County Sheriff Ricky Owens' Motion for Summary Judgment and Defendants Wilson, Roberson, and Bradley's Motion for Summary Judgment. (Docs. 103 and 106).
2. On the Plaintiff's motion, the Court entered a briefing Order that set the Motions for Summary Judgment for submission on December 21, 2007. (Doc. 108).
3. The Plaintiff filed his Opposition on December 21, 2007. (Doc. 112).
4. Having reviewed the Plaintiff's Opposition, it is evident that a Reply brief is necessary. The Plaintiff's Opposition contains arguments and citations that are demonstrably incorrect and require a reply.

5. At the pre-trial hearing on December 20, 2007, the Court advised that upon motion by these Defendants, they would be allowed to file Reply Briefs to the Plaintiff's Response to their respective Motions for Summary Judgment, provided same were filed no later than January 2, 2008.

WHEREFORE, the above premises considered, Coosa County Sheriff Ricky Owens, Terry Wilson, Wendy Roberson and Al Bradley request that the Court issue an Order granting them permission to file Reply Briefs to the Plaintiff's Response to their respective Motions for Summary Judgment on today's date.

Respectfully submitted this 2nd day of January, 2008.

s/Gary L. Willford, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on this the 2nd day of January, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Richard J. Stockham, III.**

s/Gary L. Willford, Jr.
OF COUNSEL